IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.1086 OF 2005

WITH

CIVIL APPLICATION NO.1326 OF 2005

Smt.Anubai Kamlakar Daki & Ors. ..Appellants.

Vs.

Sadashiv Shivram Daki ..Respondent.

....

Mr.D.S.Sawant for the Appellants.

CORAM : DR.D.Y.CHANDRACHUD, J.

5th December, 2005.

P.C. :

The Learned Trial Judge while declining an interlocutory order of injunction noted that Plaintiffs 3, 6 and 7 were parties to the transaction. It is an admitted position that they were parties to the agreement to sell and that an amount of Rs.2 lacs was received. In this view of

the matter, the order declining the ad interim injunction cannot be faulted. However, this is a matter which should, in my view, be expedited. The Learned Trial Judge is requested to set down a time schedule to expedite the suit and endeavour to do so within a period of one year from the date on which an authenticated copy of this order is produced before him. The Appeal is accordingly dismissed.

In view of the disposal of the Appeal from Order, the Civil Application is rendered infructuous and is accordingly disposed of.